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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,269	09/15/2003	Michael L. Rudd	10010047-1	9020
7590 03/13/2006 HEWLETT-PACKARD COMPANY Intellectual Property Administration P. O. Box 272400 Fort Collins, CO 80527-2400			EXAMINER TO, TUAN C	
			ART UNIT 3663	PAPER NUMBER

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/662,269	Applicant(s) RUDD ET AL.	
	Examiner Tuan C. To	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,10-12,15,16,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,10-12,15,16,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The indicated allowability of claims 15, 16, 19, and 20 is withdrawn in view of the newly discovered reference(s) to Maus et al. (US 20010044732A1) and Aslandogan et al. (US 6700504B1). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-7, 10-12, 19, and 20 are rejected under 35 U.S.C. 102 (e) as being anticipated by Maus et al. (US 20010044732A1).

With respect to claims 1, and 6, Maus et al. discloses a mobile data management system for providing the information related to a user (patient) when it is requested.

Maus et al. discloses a portable terminal device and transmitter that can transmit and receive data remote location. The GPS device (270) represented in Maus et al. is the claimed locator that determines the location of the data management system (Maus et al., page 5, paragraph 0039, lines 1-3). Maus et al. teach that the transmitter can transmit the data regarding the location and the data regarding the patient to a remote location (Maus et al. page 2, paragraph 0011). The remote location can send back the

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data regarding the patient before the patient arrives (Maus et al., page 2, paragraph 0012). The service system is inherently disclosed in Maus et al. since the hospital provides the medical relevant data to a data management system remote from a hospital.

With regard to claim 2, Maus et al. inherently discloses that the hospital has a service system, wherein the service system is configured to communicate with the data management system remote from the hospital. The service system of the hospital such as transmitting a medical relevant data to the data management system remote from the hospital (Maus et al, page 2, paragraph 0012).

With regard to claim 3, Maus et al. inherently discloses “response to information received by said service system, said image-capturing device capture image data corresponding to the location of said first identification device” because variety of data relevant to the patient’s medical record is transmitted from the hospital.

With regard to claims 4 and 5, Maus et al. discloses “a display device configured to communicate with said service system such that said display device displays capture image data corresponding to the location of said first identification device to the first user” (Maus et al, figure 2A, display 250 of mobile data management system).

With regard to claim 7, Maus et al. inherently disclose the following: “wherein said services system includes a locating system, said locating system being configured to receive information associated with the location of said first identification device and identification information corresponding to the first user and, in response thereto, store

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information corresponding to the location of the first user” since the hospital send the patient related data to the data management system upon a request.

With regard to claims 10-12, Maus et al. inherently discloses “ services system includes a photo system” since the hospital has a variety of system including a photo system for capturing images or photographs of patients. Based on the location of the user (an emergency medical technician) located remotely from a hospital, a relevant data can be provided from the hospital.

With regard to claims 19, and 20, Maus et al. inherently disclose the limitation “service system includes a credit system, said credit system being configured to receive a request to access a credit account of the first user, determine whether the request is from the first user, and if the request is not from the first user, deny access to the credit account of the first user”. It is important to note that the hospital can inherently provide the medical technician a relevant data report by accessing the account of the person who requests the data.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maus et al. (US 20010044732A1) and in view of Aslandogan et al. (US 6700504B1).

As set forth above, the reference to Maus et al. addressed the limitation as recited in claim 1 except for the following: "determine the location of the user and access of the user, and provide the first user with information corresponding to a proposed route for the first user to travel from the location of the user to the second location, the information being based, at least in part, on the access of the user".

The secondary reference to Aslandogan et al. discloses a system/method for safe emergency vehicle operation using route calculation, comprising the teachings or proposed route is provided to the emergency vehicle upon a request (Aslandogan et al., abstract; column 1, lines 55-65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Maus et al. to combine the teachings as taught by Aslandogan et al. would retrieve the exact location of the closest hospital and therefore to gain advantage over the cite prior art cited by "determines one or more solution route between the starting location and the destination".

Response to Arguments

Applicant's arguments with respect to claims 1-7, and 10-12 have been considered but are moot in view of the new ground(s) of rejection. The double patenting rejection has been withdrawn. A new rejection addressing all claims as set forth above.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

March 07, 2006


JACK KEITH
SUPERVISORY PATENT EXAMINER